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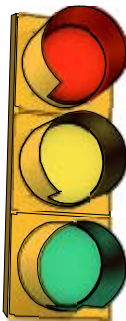
## *MMA-Medicare Secondary Payer (MSP) Policy for Hospital Reference Lab services and Independent Reference Lab Services*

**Note:** This article was revised to contain Web addresses that conform to the new CMS web site and to show they are now MLN Matters articles. All other information remains the same.

### Provider Types Affected

Hospitals, including Critical Access Hospitals, and Independent Reference Laboratories.

### Provider Action Needed



#### **STOP**

Hospitals are no longer required to collect Medicare Secondary Payer (MSP) information because independent reference labs no longer need the information to bill Medicare for reference laboratory services.

#### **CAUTION**

This applies to all hospitals, including critical access hospitals.

#### **GO**

Please incorporate this policy change into your billing processes.

### Background

Section 943 of the Medicare Prescription Drug, Improvement & Modernization Act of 2003 (MMA) mandates that:

"The Secretary shall not require a hospital (including a critical access hospital) to ask questions (or obtain information) relating to the application of section 1862(b) of the Social Security Act (relating to Medicare Secondary Payer provisions) in the case of reference laboratory services described in subsection (b), if the Secretary does not impose such requirement in the case of such services furnished by an independent laboratory."

Prior to the enactment of MMA, hospitals were required to collect MSP information every 90 days in order to bill Medicare for reference lab services. However, the Centers for Medicare & Medicaid Services (CMS)

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will not require independent reference laboratories to collect MSP information in order to bill Medicare for reference laboratory services as described in subsection (b) of Section 943 of MMA. Therefore, CMS will not require hospitals to collect MSP information in order to bill Medicare for reference laboratory services as described in subsection (b) of Section 943.

### Effective Date

This change is effective for reference laboratory service claims with dates of service of December 8, 2003, or later.

### Additional Information

The official instruction issued to your carrier regarding this change may be found by going to <http://www.cms.hhs.gov/MLNMattersArticles/Downloads/R11MSP.pdf> on the CMS web site.

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